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Modified Version of PTO/SB/21

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|---|----------------------|------------------------|------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/824330 | |
| | Filing Date | 4/13/2004 | |
| | First Named Inventor | Dale H. Buermann | |
| | Art Unit | 3662 | |
| | Examiner Name | Ratcliffe, Luke D. | |
| Total Number of Pages in This Submission | | Attorney Docket Number | PEN-108/US |

| ENCLOSURES (Check all that apply) | | | |
|--|---|--|--------|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawings | <input type="checkbox"/> After Allowance Comm. to TC | |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related papers | <input type="checkbox"/> Appeal Comm. to Board of Appeals and Interferences | |
| <input checked="" type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Comm. to TC (Appeal Notice, Brief, Reply Brief) | |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information | |
| <input type="checkbox"/> Affidavits/Declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Corresp. Address | <input type="checkbox"/> Status Letter | |
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| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | | |
| <input type="checkbox"/> Certified Copy of Priority Doc(s) | <input type="checkbox"/> Landscape Table on CD | | |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application | Other: _____ _____ _____ _____ | | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
| FIRM NAME | LUMEN INTELLECTUAL PROPERTY SERVICES, Inc. | | |
| SIGNATURE | <i>Marek Alboszta</i> | | |
| PRINTED NAME | Marek Alboszta | | |
| DATE | 3/27/06 | REGISTRATION NUMBER | 39,894 |

| CERTIFICATE OF TRANSMISSION/MAILING | |
|--|-----------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below: | |
| SIGNATURE | <i>Marek Alboszta</i> |
| PRINTED NAME | MAREK ALBOSZTA |
| DATE | 27 March 2006 |

This collection of information is required by 37 CFR 1.51. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.11 and 1.14.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE US PATENT AND TRADEMARK OFFICE

Application Number: 10/824,330

Filing Date: 4/13/2004

5 Applicant: Dale H. Buermann et al.

Application Title: An Apparatus and Method for Optical
Determination of Intermediate Distances

Examiner: Luke D. Ratcliffe

Art Unit: 3662

10

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15


Marek Alboszta, Reg. No. 39,894

27 March 2006
date of deposit

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27 March 2006
date

Amendment A

25 Commissioner of Patents and Trademarks
Washington, DC 20231

Sir:

30 In response to the complete Action mailed **12/27/2005** the applicants present an amendment to the application and to claims **1, 12, 17-19, 31-32**.

In the Specification:

On page 24, please replace the last paragraph starting on line 14 with the following:

35 -- Beam generation unit **138** uses sources **146, 148, 150** and optics **158** for launching beams **140, 142, 144** on reference, first and second paths **160, 162** and **164**. Paths **160, 162** and **164** have non-collinear folded path portions commencing ~~and~~ at sources **146, 148, 150** and terminating at the points